

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOEY ROBERT RUIZ,
Petitioner,
v.
CLAUDE F. FINN, WARDEN,
Respondent.

No. 2:21-cv-0668 AC P

ORDER

Petitioner has requested the appointment of counsel. ECF No. 4. In support of the request, petitioner states in part that he is unable to retain private counsel, that he is ‘untrained in the law,’ and that he faces “potential serious consequences” if counsel is not appointed to his case. See id. at 2. Petitioner further argues that requiring him to seek legal assistance from another inmate deprives him of his constitutional right of access to the courts. See id. at 3.

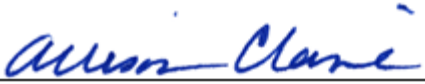
There currently exists no absolute right to appointment of counsel in habeas proceedings. See Nevius v. Sumner, 105 F.3d 453, 460 (9th Cir. 1996). However, 18 U.S.C. § 3006A authorizes the appointment of counsel at any stage of the case “if the interests of justice so require.” See Rule 8(c), Fed. R. Governing § 2254 Cases.

The court observes that to date, petitioner has been able to adequately facilitate the filing of comprehensible pleadings and other documents with this court. See, e.g., ECF Nos 1, 4, 8 (complaint, motion to appoint counsel, letter regarding payment of filing fee). There is no

1 indication that he will not be able to continue to do so as this action proceeds. See generally ECF
2 No. 4. For these reasons, the court does not find that the interests of justice would be served by
3 the appointment of counsel at this time.

4 Accordingly, IT IS HEREBY ORDERED that petitioner's request for appointment of
5 counsel (ECF No. 4) is DENIED without prejudice to a renewal of the motion at a later stage of
6 the proceedings.

7 DATED: April 20, 2021


ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE